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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICHARD SCAVONE,

Defendant.

2:16-cr-00005-RFB

STIPULATION TO CONTINUE
REVOCATION HEARING
(Fourth Request)

IT IS HEREBY STIPULATED AND AGREED, by and between, the United States of America, through the undersigned, together with Brian J. Smith, Esq., counsel for defendant Richard Scavone, that the revocation hearing currently scheduled for January 19, 2021 at 11:00 a.m., be vacated and set to a date and time convenient to this Court, but no sooner than 60 days

This stipulation is entered into for the following reasons:

1. The Defendant is not incarcerated does not object to the continuance.
2. The pending petition involves a New York state criminal charge. Defendant Scavone's scheduled court date in that matter is now January 21, 2021, because of the COVID pandemic.

3. The parties anticipate Defendant Scavone's state case could affect the resolution of the pending petition.
4. The parties agree to the continuance.
5. Additionally, denial of this request for continuance could result in a miscarriage of justice.
6. The additional time requested by this Stipulation is made in good faith and not for purposes of delay.

This is the fourth request for a continuance of the revocation hearing.

DATED this 15th day of January 2021.

NICHOLAS A. TRUTANICH,
United States Attorney
By: /s/ Nicholas D. Dickinson
NICHOLAS D. DICKINSON
Assistant United States Attorney

By: /s/ Brian J. Smith
BRIAN J. SMITH, ESQ.
Counsel for Richard Scavone

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

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ORDER

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy revocation hearing, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for the hearing, taking into account the exercise of due diligence.

IT IS THEREFORE ORDERED that sentencing in the above-captioned matter currently scheduled for January 19, 2021 at 11:00 a.m., be vacated and continued to

March 23, _____, 2021, at 11:00 a.m..

DATED January 15, 2021



THE HONORABLE RICHARD F. BOULWARE, II
U.S. DISTRICT COURT JUDGE